

U.S. Patent Application Serial No. **10/577,322**  
Amendment filed September 21, 2009  
Reply to OA dated April 27, 2009

**REMARKS**

Claims 1-25, 27 and 28 are pending in this application. Claims 1-13, 25, 27 and 27 are canceled without prejudice or disclaimer, claim 14 is amended herein. Upon entry of this amendment, claims 14-24 will be pending. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is as follows:

**Claims 14-24 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.** (Office action page 2)

Reconsideration of the rejection is respectfully requested in view of the amendment to claim 14.

The Examiner states that: "the claims read upon a significant number of inoperative embodiments" (page 3, lines 14-15). The Examiner now indicates that the previous Office action should have referred to page 15, lines 11-19, of the specification of the application, explaining: "Page 15 lines 11-19 of the specification teach that undoped  $\text{YAlO}_3$  is not electroluminescent, which raises the question if all materials having the general formula  $\text{RAIO}_3$ , where are is a rare earth element ... have similar electrical properties."

The Examiner appears to be arguing that an undoped  $\text{YAlO}_3$  layer (of General Formula  $\text{RMO}_3$ ) would be within the scope of claim 14, and that this would not be electroluminescent.

U.S. Patent Application Serial No. **10/577,322**  
Amendment filed September 21, 2009  
Reply to OA dated April 27, 2009

Accordingly, base claim 14 has been amended as follows: “General Formula  $\text{RMO}_3$ , wherein R represents at least one rare-earth element, and M represents Al, Mn or Cr, the oxide further comprising alkali metals dopant.” That is, when the oxide electroluminescent material is of General Formula  $\text{RMO}_3$ , the oxide electroluminescent material includes an alkali metal dopant.

**Claim 27 is rejected under 35 U.S.C. §102(b) as being anticipated by JP 2002-129154.**  
(Office action page 4)

**Claims 1, 5, 8, 12 and 28 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. patent application 2002/0022568.** (Office action page 4)

**Claims 1, 5, 8 and 28 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. patent application 2002/0022568.** (Office action page 4)

**Claims 1, 5 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent application 2002/0022568.** (Office action page 4)

**Claim 2 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. patent application publication 2004/0028954.** (Office action page 5)

**Claims 2 and 28 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. patent application publication 2002/0034644.** (Office action page 5)

U.S. Patent Application Serial No. **10/577,322**  
Amendment filed September 21, 2009  
Reply to OA dated April 27, 2009

**Claims 2, 4, 6 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 5,055,436. (Office action page 5)**

**Claims 2, 4 and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by the Bourne article. (Office action page 6)**

**Claims 2, 4 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Bourne article. (Office action page 6)**

**Claims 2, 4, 6 and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 63-22559. (Office action page 6)**

**Claims 2, 4, 10 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 63-22559. (Office action page 7)**

**Claims 3, 5 and 25 are rejected under 35 U.S.C. §102(a) as being anticipated by the Lin et al. article or the Janossy article. (Office action page 7)**

**Claims 3, 5, 9 and 13 are rejected under 35 U.S.C. §102(b) as being anticipated by the Gruninger article. (Office action page 7)**

These rejections are moot in view of the cancellation of claims 1-13, 25, 27 and 28 without prejudice or disclaimer.


U.S. Patent Application Serial No. **10/577,322**  
Amendment filed September 21, 2009  
Reply to OA dated April 27, 2009

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP

  
Daniel A. Geselowitz, Ph.D.

Agent for Applicants

Reg. No. 42,573

DAG/xl

Atty. Docket No. **060344**  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930



**23850**

PATENT & TRADEMARK OFFICE

Enclosures: Request for Continued Examination  
Petition for Extension of Time

H:\060\060344\Amendment accompanying RCE in re FOA of 04-27-09